

NOTICE OF OBJECTION TO CONFIRMATION

FREEDOM MORTGAGE CORPORATION has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk
U.S. Bankruptcy Court
402 E. State Street
Trenton, NJ 08608**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC 1617 JFK Boulevard, Suite 1400 Philadelphia, PA 19103	ALBERT RUSSO, Trustee CN 4853, SUITE 101 TRENTON, NJ 08650
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2. Attend the hearing scheduled to be held on 06/26/2019 in the TRENTON Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court
402 E. State Street
Trenton, NJ 08608**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: May 7, 2019

/s/ Nicholas V. Rogers
Nicholas V. Rogers, Esq.
Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103
Tel: 856-813-5500 Ext. 42689
Fax: 856-813-5501
Email: nicholas.rogers@phelanhallinan.com

File No. 824835

Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard
Philadelphia, PA 19103
856-813-5500
FAX Number 856-813-5501
FREEDOM MORTGAGE CORPORATION

In Re:
JOHN ANTHONY FILARDO
A/K/A JOHN FILARDO

Debtor

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
TRENTON VICINAGE

Chapter 13

Case No. 19-13694 - KCF

Hearing Date: 06/26/2019

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, FREEDOM MORTGAGE CORPORATION, the holder of a Mortgage on Debtor's residence located at 320 CASEY LANE, JACKSON, NJ 08527 hereby objects to the Confirmation of the Debtor's proposed Chapter 13 Plan on the following grounds:

1. Secured Creditor is FREEDOM MORTGAGE CORPORATION.
2. Debtor, JOHN ANTHONY FILARDO is the owner of the property located at 320 CASEY LANE, JACKSON, NJ 08527.
3. On March 28, 2019, Secured Creditor filed a Proof of Claim listing pre-petition arrears in the amount of \$41,767.24.
4. Debtor's Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).
5. Debtor's Plan currently provides for payment to Secured Creditor in the amount of \$40,448.40.

6. Secured Creditor objects to Debtor's Plan as it is underfunded. Debtors' Plan should be amended to fully fund the arrears owed to Secured Creditor. Absent a modification by the Debtor, confirmation of Debtor's proposed Plan should be denied.

WHEREFORE, FREEDOM MORTGAGE CORPORATION respectfully requests that the Confirmation of Debtor's Plan be denied.

/s/ Nicholas V. Rogers
Nicholas V. Rogers, Esq.
Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103
Tel: 856-813-5500 Ext. 42689
Fax: 856-813-5501
Email: nicholas.rogers@phelanhallinan.com

Dated: May 7, 2019

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

824835

Phelan Hallinan Diamond & Jones, PC
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103
856-813-5500
Attorneys for FREEDOM MORTGAGE
CORPORATION

In Re:

JOHN ANTHONY FILARDO A/K/A JOHN
FILARDO

Case No: 19-13694 - KCF

Hearing Date: 06/26/19

Judge: KATHRYN C.
FERGUSON

Chapter: 13

CERTIFICATION OF SERVICE

1. I, JESSICA GREGG:

represent the _____ in the above-captioned matter.

am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents FREEDOM MORTGAGE CORPORATION in the above captioned matter.

am the _____ in the above case and am representing myself.

2. On May 7, 2019 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: May 7, 2019

/s/ Jessica Gregg
JESSICA GREGG

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
John Anthony Filardo 320 Casey Lane Jackson, NJ 08527	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ <small>(as authorized by the court *)</small>
Warren L. Peterson, Esquire 170 North Country Line Rd Po Box AP Jackson, NJ 08527	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ <small>(as authorized by the court *)</small>
Albert Russo, Trustee CN 4853 Suite 101 Trenton, NJ 08650	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ <small>(as authorized by the court *)</small>
US Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	US Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ <small>(as authorized by the court *)</small>

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.